

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION

IN RE:

MATTHEW KELLY  
DAVENA J. WILEY ADAMS  
5214 Kerley Road, Unit A3  
Durham, NC 27705  
SSN: xxx-xx-9789  
SSN: xxx-xx-8405  
Debtor(s).

Case No. 11-80992  
Chapter: 13

**CONSENT ORDER REGARDING MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

This matter came on before the undersigned United States Bankruptcy Judge upon the Amended Motion for Relief from Stay (“Motion”) filed by RKR, Inc. t/a Northside Auto Sales (“Northside”), to exercise its state law rights with respect to certain personal property more fully described in the Motion as a **2002 Chevrolet Trailblazer VIN 1GNDT13S922184512** (“Vehicle”). The Court having considered the Motion and the record in this case finds and concludes as follows:

1. The Creditor filed the Amended Motion on July 27, 2011;
2. An Objection to the Motion was timely filed by counsel for the debtor on August 4, 2011;
3. A Notice of Withdrawal of Opposition to the Motion was filed on August 23, 2011 and the Debtor consents to the Motion.

**NOW, THEREFORE, it is hereby ORDERED, ADJUDGED AND DECREED:**

The Motion is granted and the automatic stay is hereby modified in to allow the Creditor to exercise its state law rights with respect to the Vehicle.

**IT IS FURTHER ORDERED** that if sale of the Vehicle is held and excess proceeds are derived, then such proceeds shall be deposited with the Chapter 13 Trustee in this case.

Approved:

/s/ Koury L. Hicks

Koury L. Hicks

Law Office of John T. Orcutt, P.C.

Debtors' Attorney

6616-203 Six Forks Road

Raleigh, NC 27615

/s/ James W. Sprouse, Jr.

James W. Sprouse, Jr.

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PARTIES TO BE SERVED

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